

REMARKS**Summary of the Office Action**

Claims 1-7, 9, 11-13, 15-17 and 19-20 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,477,649 to Bessert.

Claims 8 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bessert in view of U.S. Patent No. 4,364,215 to Gailey et al. (“Gailey”).

Claim 14 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Bessert in view of U.S. Patent No. 4,438,610 to Fifer.

Summary of the Response to the Office Action

Claims 1 and 13 are amended.

Claims 1-25 are pending, of which claims 10 and 21-25 are withdrawn from consideration.

All Claims Define Allowable Subject Matter

Claims 1-7, 9, 11-13, 15-17 and 19-20 are rejected under 35 U.S.C. § 102(b) as being anticipated by Bessert. At paragraph 6 of the Office Action, the Examiner states that “[t]he claims do not require that the first and second portion of the panels directly touch the surfaces for support.” Applicants have amended claims 1 and 13 in accordance with the Examiner’s helpful suggestion. However, it is submitted that the amendments to claims 1 and 13 do not narrow the scope of the claims in any manner, and are made merely to expedite prosecution. To the extent the rejection under 35 U.S.C. § 102(b) is considered to apply to the amended claims, the

rejection is traversed. Claim 1 recites a resilient pedestal head, including a base, and an arm extending from the base for cantilevered movement relative to the base. The base includes a first surface disposed in a first plane and configured to “contiguously support” a first portion of a corner of a floor panel. The arm includes a second surface configured to “contiguously support” a second portion of the corner of the floor panel. The second surface is in a second plane generally parallel to the first plane in a first configuration. The arm is deflectable by the weight of a panel mounted on the arm to define a second configuration such that the second surface is nonparallel to the first plane. Thus, as described at page 14, line 22 - page 15, line 12, for example, and illustrated in Fig. 8A of Applicants’ specification, for example, the arm of the instant invention being deflectable to the second configuration provides forces and restoring moments that tend to press edges of adjacent floor panels together.

In contrast, as described at col. 6, ll. 10-18, and illustrated in Fig. 2, Bessert shows that a floor panel support plate 94 includes a top plate 118 having a cross-shaped mounting bracket 126 formed thereon. Each leg 130a-130d of the cross-shaped mounting bracket 126 is adapted to support one floor panel stringer 28. A floor panel stringer 28 is secured to each leg 130a-130d of the cross-shaped bracket 126 by a bolt 134 which passes through the end of the floor panel stringer 28 and engages a threaded aperture 134 in a respective leg 130. As described at col. 4, ll. 22-26, floor panel stringers 28 extend between the tops of the vertical support pedestals 26 to provide vertical support to the floor panels 22. Thus, Bessert shows that floor panels 22 are supported by floor panel stringers 28. Applicants respectfully submit that Bessert does not describe anywhere that cross-shaped bracket 126 is configured to contiguously support a first

portion of a corner of a floor panel 22, that portion 118 is configured to contiguously support a second portion of the corner of a floor panel 22, or that portion 118 is deflectable to a second configuration by the weight of panel 22.

Accordingly, Applicants respectfully submit that Bessert does not teach or suggest at least the features of a base having a first surface disposed in a first plane and configured to contiguously support a first portion of a corner of a floor panel, an arm having a second surface configured to contiguously support a second portion of the corner of the floor panel, and the arm being deflectable by the weight of a panel mounted on the arm to define a second configuration such that the second surface is nonparallel to the first plane, as recited in claim 1. Claims 2-7, 9 and 11-12 ultimately depend from claim 1 and recite the same combination of allowable features recited in claim 1, as well as additional features that define over the prior art.

Claim 13 recites an elevated floor system including a pedestal having a head for supporting first and second panels. The head includes a base having a first mounting surface contiguously supporting first portions of corners of the first and second floor panels, and first and second cantilevers extending from the base. Each cantilever includes a second mounting surface, vertically spaced from the first surface, contiguously supporting a second portion of the corner of one of the first and second floor panels. The first and second cantilevers are deflectable under the weight of the panels mounted thereon to define a second configuration in which the first and second surfaces are nonparallel.

As described above, Bessert shows that floor panels 22 are supported by floor panel stringers 28. Applicants respectfully submit that Bessert does not teach or suggest at least the

features of a pedestal head having a base with a first mounting surface contiguously supporting first portions of corners of first and second floor panels, and first and second cantilevers extending from the base, each cantilever including a second mounting surface, contiguously supporting a second portion of the corner of one of the first and second floor panels, and the first and second cantilevers being deflectable under the weight of the panels mounted thereon to define a second configuration in which the first and second surfaces are nonparallel, as recited in claim 13. Accordingly, Applicants submit that claim 13 is patentable. Claims 15-17 and 19-20 ultimately depend from claim 13, and recite the same combination of allowable features recited in claim 13, as well as additional features that define over the prior art. Accordingly, it is requested that the rejection under 35 U.S.C. § 102(b), of claims 1-7, 9, 11-13, 15-17 and 19-20, be withdrawn.

Claims 8 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bessert in view of Gailey. Applicants respectfully traverse the rejection under 35 U.S.C. § 103(a), of claims 8 and 18. Claim 8 ultimately depends from claim 1, and claim 18 ultimately depends from claim 13. The dependent claims recite the same combination of allowable features recited in the respective independent claims, as well as additional features that define over the prior art. Applicants submit that Gailey fails to overcome the above-described deficiencies of Bessert. Gailey is directed to a suspended ceiling assembly. (*See Abstract*). Accordingly, it is requested that the rejection under 35 U.S.C. § 103(a), of claims 8 and 18, be withdrawn.

Claim 14 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Bessert in view of Fifer. Applicants respectfully traverse the rejection under 35 U.S.C. § 103(a), of claim 14.

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Claim 14 depends from claim 13, and recites the same combination of allowable features recited in claim 13, as well as additional features that define over the prior art. Applicants submit that Fifer fails to overcome the above-described deficiencies of Bessert. Fifer is directed to a clamped floor panel assembly. (*See Abstract*). Accordingly, it is requested that the rejection under 35 U.S.C. § 103(a), of claim 14, be withdrawn.

Applicants respectfully submit that claims 1-9 and 11-20 are in condition for allowance.

CONCLUSION

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing all pending claims in condition for allowance. Applicants submit that the claim amendments do not raise new issues or necessitate additional search of the art by the Examiner.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite the prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully Submitted,

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